

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

KENNETH COLVIN, JR.,

Plaintiff,

v.

Case No. 2:07-cv-61
HON. R. ALLAN EDGAR

PATRICIA CARUSO, et al.,

Defendants.

ORDER

Defendants David Bergh, Keith Castello, Greg Exelby, Wayne DeShambo, Gerald Anderson, B. Bertucci, and David Aaron move for summary judgment pursuant to Fed. R. Civ. P. 56. [Court Doc. No. 178]. On October 26, 2011, Magistrate Judge Timothy P. Greeley submitted his report and recommendation. [Doc. No. 198]. It is recommended that the defendants' motion be denied. The parties have not timely filed any objections to the report and recommendation.

After reviewing the record, the Court **ACCEPTS and ADOPTS** the report and recommendation pursuant to 28 U.S.C. § 636(b)(1), Fed. R. Civ. P. 72(b), and W.D. Mich. LCivR 72.3. For the reasons expressed in the report and recommendation the defendants' motion for summary judgment [Court Doc. No. 178] is **DENIED**.

SO ORDERED.

Date: November 17, 2011.

/s/ R. Allan Edgar

R. ALLAN EDGAR
UNITED STATES DISTRICT JUDGE